

Hon. James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA, ON
BEHALF OF THE NATIONAL OCEANIC
AND ATMOSPHERIC
ADMINISTRATION AND THE UNITED
STATES DEPARTMENT OF THE
INTERIOR; THE STATE OF
WASHINGTON THROUGH THE
WASHINGTON DEPARTMENT OF
ECOLOGY; MUCKLESHOOT INDIAN
TRIBE; SUQUAMISH TRIBE,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

Case No. CV-16-1486

JOINT STATUS REPORT

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U. S. DEPARTMENT OF JUSTICE
Environment and Natural Resources Division
7600 Sand Point Way NE
Seattle, WA 98115

1 As set forth in the parties' January 6, 2020 Joint Status Report (ECF #11),
2 the parties hereby file this updated Joint Status Report.

3 The previous Joint States Report stated that Bluefield Holdings, Inc.
4 expected to shortly establish a final escrow account necessary to provide financial
5 assurances for the work to be performed under the consent decree. In fact,
6 discussions between Bluefield and the escrow company did not produce an escrow
7 arrangement acceptable to all parties. As a result, Bluefield is now arranging a
8 letter of credit with its lender to furnish the necessary financial assurance.
9 Bluefield expects this arrangement to be in place shortly. Once this arrangement
10 is in place, the parties will proceed with final review by decision-makers of the
11 revised consent decree.

12 This Joint Status Report is not intended to provide any guarantee that all
13 authorized decision-makers will approve the revised consent decree. If all parties
14 have not completed their review and approval processes within sixty (60) days of
15 this Joint Status Report, the parties propose to file a further status report to advise
16 the court of any remaining steps to be taken.

17 This status report has been shared by undersigned counsel with counsel for
18 all other parties, and they have authorized undersigned counsel to file this
19 document on all parties' behalf.

Respectfully submitted,

/s Michael J. Zevenbergen
MICHAEL J. ZEVENBERGEN
Senior Counsel
Environmental Enforcement Section
Environment & Natural Resources Division
U.S. Department of Justice
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Seattle, Washington 98115
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March 6, 2020

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 2020, I caused a true copy of the JOINT STATUS REPORT to be served on each of the following named persons at his or her last known addresses in the manner indicated below:

TAD H. SHIMAZU Assistant City Attorney Seattle City Attorney's Office 701 Fifth Avenue, Suite 2050 Seattle, WA 98104-7097 Email: tad.shimazu@seattle.gov	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via E-mail <input type="checkbox"/> Via First-Class mail, postage pre-paid <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Notice of electronic filing using CM/ECF
NELS JOHNSON Assistant Attorney General 2425 Bristol Court S.W. Olympia, WA 98504-0117 Email: NelsJ@ATG.WA.GOV	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via E-mail <input type="checkbox"/> Via First-Class mail, postage pre-paid <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Notice of electronic filing using CM/ECF
MELODY ALLEN Suquamish Tribe Legal Department 18490 Suquamish Way Suquamish, WA 98392 Email: mallen@Suquamish.nsn.us	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via E-mail <input type="checkbox"/> Via First-Class mail, postage pre-paid <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Notice of electronic filing using CM/ECF
ROBERT L. OTSEA, JR. Muckleshoot Indian Tribe 39015 172nd Avenue SE Auburn, WA 98002 Email: Rob@muckleshoot.nsn.us	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via E-mail <input type="checkbox"/> Via First-Class mail, postage pre-paid <input type="checkbox"/> Via Overnight Mail <input checked="" type="checkbox"/> Notice of electronic filing using CM/ECF

/s Michael J. Zevenbergen
MICHAEL J. ZEVENBERGEN

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- 3 -

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